

My name is Kathi Tucker, Executive Director of the WindChill Legacy, Ltd.

Our non profit's focus is breaking the cycle of abuse, starting at the ground floor of the cycle. We do presentations at schools on how to recognize animal neglect and abuse and what to do, as well as proper pet care. We have a 30 inch mini horse that we bring in after the presentation for all the kids to pet.

I have spent most of my life pulling animals out of some pretty horrific situations and bringing them back to health. Like the kitten tied to a whiskey bottle left by the water's edge waiting for the tide to come in, or Ebby, who spent her first 18 years of life as a show horse, only to end up in a field with her teeth in such bad shape that the sharp points had shredded the inside of her mouth, causing such terrible abscesses that she could no longer eat. She was standing in front of a hay bale, while she slowly starved to death. I have waited a lifetime for the opportunity to speak for them, for the silent ones and I thank you for the opportunity to do so now.

In 1995 Jane Ann Quinlisk did a study on battered women in LaCrosse WI. They found that 4 out of 5 victims reported that their abuser had been violent towards their pets and in most cases the animal cruelty was carried out in the presence of the battered women and her children. All the women also reported that their abusers frequently threatened to give away or harm their pets as a way to control them. Other studies have shown that animals in these types of homes rarely live over the age of 2 years old, they are either killed or die of neglect.

Every year The Animal Legal Defense Fund releases a report ranking the animal protective laws of every state and territory of the USA. In their 2009 study, IL ranked first, MI ranked 3rd and WI ranked 18th. The majority of the strengths that put IL in the lead and MI 3rd in this study are the same changes, some to a lesser degree that we are asking for in this new Bill. Some of you may be aware that the Humane Society did a similar study. The reason that I chose not to quote their study is because it included a larger amount of exemptions that are not affected by the changes written in SB 555. For example all of the current WI trapping, hunting (with or without dogs), and agriculture exemptions, such as the normal animal husbandry practices statutes remain unchanged. Remaining unchanged as well is the statute pertaining to normal and accepted veterinary practices and scientific research.

After Rep. Milroy gave us the first draft of this bill, we reached out to groups that we felt may have concerns over new animal legislation being introduced. We phoned, sent letters along with a copy of the draft to The NRA, US Sportsmen's Alliance, WI Wildlife Federation, WI Towns Association, WI Farm Bureau and the WI Trappers Association. We asked that they review the bill draft in its early stage and share with us their concerns, if any, so that we could address them prior to the next draft. I did not receive a response from any. Since the Assembly hearing last week, we have met with the groups expressing concern and are working on amending the bill to address their concerns.

I truly believe that SB 555 offers long term savings for the state of WI. Not only will the strengthening of our animal cruelty laws act as a deterrent to abusers, the removal of other animals from the abusers care and property checks for a longer period will save on prosecuting repeat offenders during that time. Justice Department and other studies have shown time and time again that animal abuse is a stepping

stone to domestic abuse, child abuse and at its worse, serial killing. I don't know what it costs the state to prosecute domestic violence repeat offenders or even for that matter what it cost the state of WI to prosecute Jeffrey Dahmer, who started his infamous career dissecting animals before moving on to humans. But it stands to reason that it would be far better to prosecute an animal abuse case at the beginning of the violent cycle than repeat domestic violence offenders or worse. SB 555 gives the courts the option to require counseling or anger management and that alone should help to prevent future prosecution.

Initial groups we asked for input from:

The NRA

Jordan Austin
National Rifle Association
11250 Waples Mill Road
Fairfax, VA 22030

US Sportsmen's Alliance

Jeremy Rine
801 Kingsmill Parkway
Columbus, OH 43229

WI Wildlife Federation

Exec Dir: George Meyer
201 Randolph Drive
Madison, WI 53717

Wisconsin Towns Association

WTA Executive Director – **Richard J. Stadelman**
W7686 County Road MMM
Shawano, WI 54166-6086

WI Farm Bureau

c, Director of Governmental Relations
1241 John Q. Hammons Drive
Madison, WI 53717

WI Trappers' Assn

Virgil Schroeder
3471 Earlwyn Rd
Cottage Grove, WI 53527-9414

Testimony of Jeffrey L Tucker

SB 555, March 3rd 2010 at 10am

On Saturday February 9th, 2008 we rescued a 9 month old colt from a farm in our area. Frigid conditions mixed with high winds (30mph, wind chill of -50 below) finally overcame the little guy's already weakened condition. Suffering from dehydration, malnourishment, hypothermia and frostbite, we loaded the colt we've been calling WindChill into one of our horse trailers and raced for home.

Hoping we could save him.

We could not.

The local newspaper did a front page story on the horrifying rescue and word spread like wild fire over the AP and several TV stations. Our frozen little colt, who was fighting so hard to live, made the national news when FOX NY picked up the story. The over whelming support and public outcry over how this baby horse was left to suffer, brought thousands of people all over the United States and other countries around the world together for a common cause.

The experts warned us from the beginning not to get our hopes up, because the odds were just overwhelmingly stacked against this little horse. We never told WindChill that. We accepted each day with him as a gift; we watched his progress in awe – as did the entire nation. This little horse became a beacon of hope for so many that had lost their hope in humanity. He taught us that no matter what happens in your life, no matter how unfair, you can still have faith and you can find love to carry you to a better place. He found the good in the world.

The abusers in this case received a slap on the wrist for their crime, as do so many other animal abusers. We made a promise to all those animals out there, silently enduring their suffering, that we would be their voice.

To WindChill's memory we dedicate our efforts to combat equine neglect and abuse.

WindChill's Law by Polly Niemi

The current WindChill Legacy members did not know each other two years ago when Kathi and Jeff Tucker dropped everything in their lives to help a little horse. My husband Gary is a retired Air Force Colonel, and we seek missions where we can make a difference for the greater good. We offered to help the Tuckers because help was needed. We were there every day, and cheered WindChill on with every small victory. And he stole our hearts with his cheerful dignity, loving personality, and amazing will to live.

I was in the courtroom every day of every hearing when WindChill's abusers went to trial. It was so difficult for the D.A. to prosecute the case. These people watched a baby horse starve to death outside their kitchen window! How can that NOT be prosecuted? One abuser made a plea bargain to testify against the other because he had domestic abuse charges pending, and the other abuser bargained for a slap on the wrist. I wanted to know if that was common everywhere in the U.S. So WindChill's Law Task Force was formed: I, a schoolteacher, facilitated it, and a pharmacist, a mental health administrator, a licensed psychologist who previously worked with domestic abuse, and a ski instructor volunteered to research this. None of us are involved with any animal rights' groups, and all the work done for this bill was strictly our own. It is truly a grassroots effort by caring citizens, just plain, ordinary folks.

We divided up the 50 states, and they read every statute concerning animals for every state, including some still in legislative committees. We met regularly over a 6-month period and discussed what we found, what needed changing, what did not, and why. The best of what we found were inserted into our current WI statutes. I edited that 25 page document down to 7 pages with end notes citing the states of origin for the changes. We asked Representative Nick Milroy to draft and sponsor legislation. He enthusiastically agreed, and gave our document to the bill drafter.

This bill is for all those who are battered and neglected through no fault of their own. Victims are told the abuse is their fault for provoking their abusers, and keep trying to "do better" so it will stop. Abused children think abuse is part of love. Victims are kept terrified, and threatening to harm family pets is a powerful tactic. I cannot imagine what the pre-school child of WindChill's abusers thinks, having witnessed domestic abuse and parents letting a baby starve in the field in front of their house. How he felt when he asked Kathi, "Are you finally here to help the little horse?" His parents' abusive actions and lightest of sentences told him this was all okay, continuing the ugly circle of abuse.

WindChill's Law addresses anger issues, abuse, and neglect by clarifying restraining orders, provides for evaluation, anger management, and counseling in sentencing, as well as increasing penalties for those who believe the laws of our state don't apply to them. It was written from our hearts and souls, with love, hope, and faith in all of you. We invite those who may not agree with parts of SB 555 to come to the table with us so we can find language that works for all. The citizens of WI deserve laws that protect animals and children who have no voice and have no choice from abuse and neglect.

**Testimony of Janice Niedermeier, DVM before the Wisconsin
Senate Criminal Justice Committee on March 3, 2010 re:**

Senate Bill 555

Good morning. My name is Janice Niedermeier. I am a veterinarian who has practiced in southern Wisconsin since 1973 and I've been a business owner in Rock County for 16 years. I have cared for cattle, sheep, goats, hogs, horses, dogs, cats, birds, rabbits and other small mammals. I bred, trained and showed Arabian horses for 20+ years and made a financial success of Corriedale sheep in Racine County for 16 years. I have a 35 year history raising, training, and showing Doberman Pinscher dogs. I've donated a lot of time and service to dog clubs and worked hundreds of hours as a member of show and trial-giving dog clubs in Wisconsin. I served for a number of years on the Board of Directors of a humane society/shelter.

I am here today as an individual and animal advocate, not representing any group. My life in animals has been gratifying, but it has also been greatly informed by sad, sometimes nearly unspeakable instances of cruelty and neglect. These are all too common. You don't have to work in a shelter to see these, yet much of the public simply can't imagine that such things happen.

Let me tell you some of what I have seen. For starters there would be the 4 dogs in just the span of a few years who required surgery to remove the metal chain link collars embedded in skin and muscle of their necks. The worst of this is that two of these dogs were owned by the same man. Education and experience did not work for him; he just didn't care enough to check his animals.

Then there was the year-old Wisconsin cat who broke her leg and after 2 or 3 days with the bone ends hanging out through the skin and now sick enough to have quit eating, the owner called to ask the cost of an exam. When they were unwilling to invest the cost of an exam in her, I suggested that she be surrendered to the local shelter to be treated, if possible, or humanely put to death if she'd run out of options. They refused. The sheriff's deputy who accompanied the shelter employee to seize the animal reported they were simply livid, incensed that anyone should think it was the business of the county or the state to prevent cruel treatment, or in this case, neglect of animals.

I have participated in police raids on suspected illegal animal brokers and places suspected of harboring fighting dogs. Most Wisconsin residents would never believe that puppies and kittens, dogs and cats are abused and neglected in a way that results in their dead carcasses being stuffed into garbage bags and left to rot in the back room of a dummy business "front" in one of our larger Wisconsin cities. In this case law enforcement was dealing with an illegal brokerage operation. Those dead animals were simply a cost of doing business, as they weren't "valuable enough" to spend the money to hire someone to check on them daily. They died of heat exhaustion and dehydration.

Sadly I suspect there are only a few rural vets who have never seen horses, ponies, or production livestock dead, or nearly dead, of starvation. I had been working in my first veterinary position for only 6 months before I made my

first such call. Was I young and impressionable then? Yes. Was I horrified? Yes. Did I euthanize the pony? Yes. Should the owners have been prosecuted? Probably. They had run out of hay but said they thought the pony could make it until there was pasture to eat in May, so didn't get any more. They hadn't noticed it was getting thin. It was in their front yard and they were responsible to care for it. It was February and it was dying. March was longer than this pony could wait, never mind May. Do I wish never to forget how awful I felt? Yes. The minute I stop caring how I felt then is when I need to think about retiring, because none of us should ever allow cruelty or neglect to fail to impact us. Each one of the starving horses I saw in the years I spent treating horses and cows had a similar impact on me. You knew those calls didn't start until late January or February. It takes that long for animals given insufficient groceries in the winter to lose almost half their body weight and get close enough to dead for neglectful owners to call. And then there are all the owners who don't call. Shelters and rescue organizations save some of these animals, if the public sees what is happening and takes action. The rest just die.

I am particularly reminded of a tiny kitten who was repeatedly thrown against the wall of an apartment in Waukesha County. Neighbors called the police. A man had battered his girlfriend and when she tried to call police he started on the kitten. Because she was drunk, the prosecutor thought he might not get the charges proven, and I was asked to do a deposition and later, if needed, to testify at trial as to

the kitten's injuries. It turned out the fellow confessed so my testimony was unnecessary. The kitten survived, to undergo the same abuse several months later. I don't know whether it survived the second round.

Chapter 951 needs improvements and tightening up. Law enforcement and prosecutors need a good framework to support their efforts. All of us need to care about neglect and cruelty in our society. I urge your support for Senate Bill 555. Thank you for the opportunity to testify today.

Hello, my name is Ann LaBelle.

Although I do not live in your state I grew up in WI. I am 53 years old now. When I was 17 years old I had to make a terrible decision to sell my beloved horses to a Mink Rancher to be slaughtered for mink feed. There was a drought that year and there was not enough hay. The farmers that had hay needed it for their dairy cattle. I want you to understand the significance of making that decision. To do that I need to tell you that my mother committed suicide when I was 9 years old and my father was killed in a single engine plane accident when I was 11 years old. I want you to know that I am sincere and authentic. At that time I transferred all of my passion over to the horses. When it became apparent that I would not find hay for my horses, I sold them. I made the decision myself. I made the decision because I would not let my friends starve. I was a 17 year old girl in love with my horses. Can you even imagine how hard that was and how terrible it was to load them into the truck that came for them that day. The reason I am telling you this story is not because I want your sympathy. I want you to understand that even though I loved my horses I did not want them to suffer.

On February 9, 2008, a nine month colt was rescued from his home in South Range, WI. This actually made National Headlines at the time. The colt was found on the ground too weak to stand, starved and covered in ice and snow. He had been starved and did not have access to shelter with the wind chill range that day between 40 to 55 degrees below zero. The people that rescued him began to call him WindChill. While great effort was made to save the colt, he died 20 days later. I believe that the way that baby fought for his life struck a cord with everyone who came into contact with him, either personally or through the media. It was amazing to see him change from having given up on life to actually start to gain weight and strength. I watched him struggle to stand and when he finally got to his feet, struggle to stay standing. Even though his life was now filled with all of the food he could eat and all the love that he could stand, his body was just too damaged to maintain life. I do not want his suffering to be in vain. There was no reason for this to happen. These people were adults. The way that "WindChill" suffered before he was rescued was horrible and cruel. The people responsible for the neglect were charged with animal negligence, but received a slap on the wrist for their negligence. That case has been settled and is done. I am looking to the future.

I believe that a message must be sent to people who do not provide adequate food, water, shelter and care for animals in their care. When that happens it is only because the people responsible do not care about the animals, they do not care if they are suffering. Please help us to change and have laws that are severe enough that at least some people would be more apt to take care of their horses or at least see that they are re-homed or euthanized humanely. Please note that while this bill creates stiffer penalties for great bodily harm and death of an animal, it also maintains an avenue for the court to use its discretion in sentencing including anger management and counseling.

I would like to ask that you vote yes to WI Assembly Bill #747 (WindChill's Law), which calls for the long waited strengthening of the laws on animal abuse and neglect.

Please take the lead in this law, "WindChill's Law". Even though I do live in MN, My heart has been and always be in Wisconsin. I would like to know that the state that I love is a leader in this small but important area of legislature.

Thank you in advance

Ann LaBelle



Dog Federation of Wisconsin
742 S. Indiana Ave.
West Bend, WI 53095
Doglaw@dfow.net

Chairman and members of the committee,

My name is Joy Brand and I represent the Dog Federation of Wisconsin. The Dog Federation of Wisconsin is pleased to comment on SB-555.

Dog Federation of Wisconsin is comprised of dog owners and fanciers from throughout the State of Wisconsin.

Our membership is comprised of owners and enthusiasts who work and train their dogs for participation in many activities which include therapy, hunting, sledding, agility and many others. Attached to this statement is an organizational copy of our member clubs, various informational websites and some contact information.

We are extremely concerned about the proposed wording changes to our state animal cruelty statute which is Chapter 951. The wording in this proposed bill encompasses every facet of pet ownership and would have unintended consequences.

This bill changes the definition of cruelty to include "failing to prevent". Technically you are asserting that anyone that is not guilty of cruelty is probably guilty of failure to prevent the act of yourself or someone else. This circular theory causes EVERYONE to be guilty of one or the other.

This bill uses HUMAN descriptions in its penalties section: "bodily harm" and "great bodily harm". Those definitions as defined in statute Chapter 939 (Crimes General Provision) are as follows:

"Bodily Harm" means physical pain or injury, illness, or any impairment of physical condition. "Great Bodily Harm" means bodily injury which creates a substantial risk of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss of impairment of the function of any bodily member or organ or other serious bodily injury.

Under criminal law, as it affects humans, you must prove intent. A slap is considered an assault. A pinch on the rear is 4th degree sexual assault. You have to prove intent on the part of the perpetrator, before they can be charged. Under the crimes against animals Chapter - Mistreatment Statute 951.02 no intent is required for conviction (per State v. Stanfield, 105 Wis. 2d 553, 314 N.W. 2d 339 (1982)). Are we raising the status of animals to a status higher than a human?

According to this proposal citizens that breed, hunt, train, and own pets could be accused of misdemeanors and felonies, unintentionally. Let me give you a few examples:

Animal husbandry and grooming practices can be the cause of physical pain, especially in dogs. Those of us that clip toe nails on our dogs will undoubtedly hit the "quick" (especially on black nails) and cause pain to our dogs. Those dogs that don't like this process will undoubtedly struggle and be quite vocal.

Breeders that dock tails and have dew claws removed at the age of 3 days can be charged with felonies. If you are mentoring children in appropriate methods of husbandry in certain breeds of dogs you have now enhanced that felony. Whether individuals agree or disagree with animal husbandry practices they are there for a reason.

The wording in this bill also includes those of us that train our dogs to be good companions and workers. Trainers use things called "Prong Training Collars". These collars are used to get the dogs attention by giving them a pinch (which yes is a physical pain). Dogs that are contained with invisible fencing are jolted with a shock when they go outside their containment area and yes both under this human definition of bodily harm would cause the owners to be charged with cruelty. Dogs that find a way outside of a physical fenced in area, and are subsequently hit by cars, could be charged with "failure to prevent".

Dogs that love to work by doing the jobs that they were bred for can end up getting their owners charged with cruelty. Dogs that do agility, hunt and pull sleds are more susceptible to injury because they are moving fast, can fall and tear tendons and muscles. Under the human guidelines for what constitutes bodily harm and under the animal cruelty statute which doesn't need intent, our working dogs could no longer do what they were bred or trained to do.

Walking a dog could also have unintended consequences. How many of us have had the unpleasant experience of walking our dog and having them threatened by a dog running on or in the proximity of their owners' property? Irresponsible owners that believe they have voice control over their pets, even if the pet is on the property or on the sidewalk or street abutting their property. In order to protect a pet from this uncontrolled dog may require the threatened pets' owner to inflict some type of bodily harm to save or protect their pet. This bill could have unintended consequences for that individual.

The issue that created "Windchill's Law", in regard to the colt, resulted in a charge of mistreatment. The judge in the case used his discretion for the penalty that was imposed. When a district attorney can't file charges it is usually the lack of appropriate report writing skills on behalf of the investigating officer and not the statute itself. That issue should be dealt with by the law enforcement training and standards board and the in-service training that each officer must go through to be recertified.

The other issue that was mentioned in an analysis I read was to punish people that did not treat their animals. The little dog that had broken legs because it was hit by a car and the owner refused to treat it. Does that mean that an individual whose dog is dying of cancer should be charged with a crime because they are going to decline extraordinary measures? Does that mean that individuals that can't afford the glaucoma medications for their dogs should be charged with a crime? Both of those diseases are expensive to treat and painful but veterinarians and pharmacies for the most part want payment when services and products are delivered.

The unintended consequence of this proposal is that it will discourage individuals from visiting veterinarians for fear that they will be turned in for declining expensive treatment options. Or, they will avoid veterinarians for simple treatments because they are fearful it could be something that will be expensive.

For these reasons we oppose Senate Bill SB-555.



Dog Federation of Wisconsin
742 S. Indiana Ave.
West Bend, WI 53095

We own dogs and we vote!

For dog related issues that are brought to the legislature, please contact the Dog Federation of Wisconsin with any questions you may have.

To Contact Specific Individuals:

Gary Goyke Legislative Representative	Joy Brand President	Tracey Johnston Vice President
(608) 237-8108 gnregoyke@mailbag.com	(414) 254-9057 Joy@dfow.net	(262) 424-2694 Tracey@dfow.net

As of February 17, 2010 DFOW represents the following member clubs

Alaskan Malamute Club of America, Inc. + Alaskan Malamute Club of Wisconsin, Inc. Badger Golden Retriever Club Badgerland Basset Hound Club, Inc. + Badgerland Cavalier King Charles Spaniel Club Badgerland Miniature Pinscher Club, Inc. + Bernese Mountain Dog Club of SE Wisconsin Burlington WI Kennel Club Boxer Club of Milwaukee, Inc. + Central Wisconsin Sporting Spaniel Club Combined Specialty Clubs of Greater Milwaukee ++ Doberman Pinscher Club of Greater Milwaukee English Cocker Spaniel Club of Southeastern WI Fancier Cocker Spaniel Club of SE WI Fox River Beagle Club German Shepherd Dog Club of Wisconsin German Shorthaired Pointer Club of Wisconsin + Great Dane Club of Milwaukee, Inc. + Greater Milwaukee Lhasa Apso Club + Greater Milwaukee Norwegian Elkhound Association Greater Milwaukee Poodle Club Greater Milwaukee Samoyed Fanciers, Inc. + Greater Milwaukee Shetland Sheepdog Club Green Bay Shetland Sheepdog Club Irish Setter Club of Milwaukee, Inc K-9 Obedience Training Club	Kenosha Kennel Club, Inc Kettle Moraine Kennel Club Milshore Miniature Schnauzer Club, Inc. + Milwaukee Bulldog Club Northern Flyway Golden Retriever Club Old English Sheepdog Club of Southeastern Wisconsin Oshkosh Kennel Club Packerland Kennel Club Paper Cities Kennel Club Samoyed Association of Madison, Inc. Shih Tzu Club of Wisconsin's Fox Valley Shih Tzu Club of Southeastern Wisconsin + Soft Coated Wheaten Terrier Club of Greater Milwaukee + Southern WI Sporting Spaniel Club The Chihuahua Club of Greater Milwaukee, Inc. + Waukesha Kennel Club West Allis Training Kennel Club Western Waukesha County Dog Training Club Winnegamie Dog Club Wisconsin Chow Chow Club Wisconsin English Springer Spaniel Association Wisconsin Interstate Search and Rescue K-9 Team ++Combined Specialty Clubs of Greater Milwaukee represents these individual clubs (+). In addition to our member clubs, there are many individual members within the DFOW organization.
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Corporate Sponsors

Cedar Creek Pet Resort

Olympia Conference Center

Websites of interest:

www.dfow.net

www.NAIAonline.org

www.akc.org

www.ukcdogs.com

www.akcchf.org

www.adoa.org

Dog Federation of Wisconsin

National Animal Interest Alliance

American Kennel Club

United Kennel Club (Kalamazoo, MI)

American Kennel Club Canine Health Foundation

American Dog Owners Association



English Springer Spaniel Field Trial Association, Inc.
MEMBER OF THE AMERICAN KENNEL CLUB / PARENT CLUB OF THE BREED

Tracey Johnston
Legislative Liaison
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March 3, 2010

The Honorable Lena Taylor
Chairwoman, Committee on Judiciary, Corrections, Insurance, Campaign Finance Reform, and Housing
P.O. Box 7882
Madison, WI 53707-7882

RE: Opposition SB555

Dear Chairwoman Taylor:

I am writing to you at the request of the Officers, Board of Governors and membership of the English Springer Spaniel Field Trial Association (ESSFTA). The ESSFTA asks you to oppose Senate Bill 555 when it comes before your committee. Please ensure that our opposition is reflected in the committee analysis. SB 555 in its current form not only addresses issues of animal cruelty in regards to domestic disputes, but also tries to redefine current State Animal Cruelty definitions and penalties.

English Springer Spaniels are a flushing spaniel, bred for hunting upland game. They are traditionally a docked breed as the thinness of their tails in conjunction with the way they use their tails and crash through under brush can cause injuries to their tails. The ESSFTA encourages hunting mentorship programs for children and many minors participate in our field tests where game birds are hunted and killed. SB 555 threatens both of these activities by making animal cruelty charges felony charges rather than misdemeanors if done in front of a child.

As there are no exclusions written into current animal cruelty codes to provide for hunt training, livestock management, or performance dog standards, this bill will change the original purpose of State code and could make felons out of those that participate in animal sports or make their livelihood through animal agriculture use. Although these exclusions have never been spelled out, changing a penalty from a misdemeanor to a felony changes the scope and intent of our animal cruelty laws and creates a hardship on all people involved with animal enterprises in the state. From 4-H leaders, to cattlemen, to dog breeders, to hunters – all could be negatively affected by this bill and targeted for harassment by animal rights individuals.

The American Kennel Club recognizes the ESSFTA as the breed's parent club, the national organization solely sanctioned to steward the English Springer Spaniel breed in the United States. The ESSFTA has been in existence for over 80 years and represents English Springer Spaniel enthusiasts nationwide, with over 10% of our membership residing in Wisconsin.

We respectfully ask that you oppose SB 555 and enter this letter in the records of opposition.

Sincerely,

Tracey A Johnston
English Springer Spaniel Field Trial Association
Legislative Liaison

Cc: Senator Sullivan, Senator Erpenbach, Senator Grothman, Senator Hopper



Philip C. Johnson, DVM
President

Steven Erickson, DVM
President Elect

Douglas D. Kratt, DVM
Past President

Kim Brown Pokorny
Executive Director

2801 Crossroads Dr., Suite 1200, Madison, WI 53718 ■ (608) 257-3665 ■ fax (608) 257-8989 ■ www.wvma.org
Advocating and promoting veterinary medicine, while enriching animal and human health

March 3, 2010

To: Honorable Members of the Senate Committee on Judiciary, Corrections, Insurance,
Campaign Finance Reform and Housing

Fr: Dr. Philip Johnson, WVMA President
Kim Brown Pokorny, WVMA Executive Director

Re: Senate Bill 555, Windchill's Law

The Wisconsin Veterinary Medical Association (WVMA) acknowledges the leadership of a number of Wisconsin residents, and particularly representatives of Windchill's Legacy, for their efforts to bring this legislation forward. The WVMA concurs that greater deterrents are needed for those whose intentional mistreatment of animals that leads to bodily harm or death and to ensure law enforcement has the necessary authority to take action in such circumstances.

While we support the concept, we are not at this time prepared to take a formal position given the complexity of the legislation, including the increased criminal penalties about which we lack the proper expertise. Indeed, our expertise is in applying scientific knowledge to ensure the proper care and treatment of animals. We need to examine and assess the legislation based on our scientific training and expertise.

The *Veterinarian's Oath* makes clear the profession's obligation to use scientific knowledge and skills for the benefit of society through the protection of animal health and the relief of animal suffering. The WVMA takes this obligation very seriously. The WVMA Executive Board approved a strategic plan in January of 2009. The number one issue identified by the Board is animal welfare.

As SB 555 moves forward, the WVMA hopes to be involved in the discussions in bringing our unique scientific expertise. Please do not hesitate to contact us with any specific questions - we seek to be helpful in this legislative endeavor.

TO: Members of the Senate Committee on Judiciary, Corrections, Insurance,
Campaign Finance Reform and Housing

FROM: Paul Zimmerman
Executive Director of Public Affairs

DATE: March 3, 2010

RE: SB 555

On behalf of the members of the Wisconsin Farm Bureau Federation (WFBF), I wish to express our opposition to SB 555 as proposed. SB 555 has the laudable goal of trying to prevent animal cruelty and strengthening the penalties for doing so.

Supporters of the bill are highlighting the need to address animal cruelty due to animal abuse to companion animals or the threat to do so in the presence of children. WFBF's position on the bill is unrelated to companion animals. That's a debate for others to present to you.

However, as drafted, SB 555 is problematic for Wisconsin livestock farmers. SB 555 amends the definition of "Cruel" to mean "causing or failing to prevent unnecessary and excessive pain or suffering or unjustifiable injury or death." At face value, this modification to some may seem appropriate.

In the co-sponsor memo circulated on SB 555, it was stated: "The DA's office wanted to prosecute, but found there is no applicable statute. 951.01 (2) prohibits cruelty, but requires that the person "cause" unreasonable suffering. In this case, the person didn't "cause" the suffering, they refused to treat it. This bill would correct the situation." The above statement is in regards to a situation where veterinary medical attention and treatment was not given to a dog that was struck by a car.

On livestock farms, farmers care for their animals 24 hours a day, 365 days a year. Yet, animals can still become injured due to no fault of the farmer. When needed, the farmer may call a veterinarian to care for injured animals. At other times, a veterinarian may not be called because the farmer wishes to see if the animal will heal on its own. Sometimes livestock market prices make it not economically viable to treat certain injured animals. Too further complicate this situation many injured animals are not viable for slaughter due to increased standards to insure a safe food supply. So farmers are in the position, do they see if the injured animal can recover on its own or do they put it to death.

Livestock farmers truly care for their animals and work with veterinarians to keep their livestock healthy. SB 555 needs to be changed so that if a farmer does not call a veterinarian after a cow falls down, he or she does not become a felon.

Thank you for your time and consideration. If you have any questions or comments, please contact me at 608-828-5708.